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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/527,627

03/10/2005

Curtis V. Casto

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SHELDON MAK ROSE & ANDERSON PC
100 East Corson Street
Third Floor
PASADENA, CA 91103-3842

EXAMINER

PRETLOW, DEMETRIUS R

ART UNIT

PAPER NUMBER

2863

MAIL DATE

DELIVERY MODE

06/14/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/527,627

Applicant(s)

CASTO ET AL.

Examiner

Demetrius R. Pretlow

Art Unit

2863

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 May 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 6-8 and 18-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 6, 7 and 18 is/are rejected.
- 7) ☒ Claim(s) 8 and 19-21 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 March 2005 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Drawings

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the first computer readable medium, second computer readable medium, third computer readable medium, fourth computer readable medium, fifth computer readable medium and sixth computer readable medium must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner,

Art Unit: 2863

the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Objections

Claims 1-5, 9-17 objected to because of the following informalities:

The status identifiers should be changed from "withdrawn" to – cancelled -- .

Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 6,7 and 18 are rejected under 35 U.S.C. 102(b) as being anticipated by Patel (US 5,918,191). In reference to claim 6, Patel teach a first computer readable medium for storing one or more first data objects representing calibration data from the one or more than one UUT. Note column 10, lines 40-55. Patel teach a second computer readable medium for storing a first globally unique identifier in an association relationship to one of the one or more first data objects (calibration jobs performed). Note column 6, lines 39-46. Patel teach a third computer readable medium for storing one or more second data objects representing a reference standard for the UUT equipment class. Note column 14, lines 50-51. Patel teach a fourth computer readable

Art Unit: 2863

medium for storing a second globally unique identifier in an association relationship to one of the one or more second data objects. Note claim 4, lines 1-3. Patel teach a calibration management control program embodied on a fifth computer-readable medium for calibration of the one or more than one UUT, the calibration management control program in communication with the first data objects, second data objects, first globally unique identifier and second globally unique identifier. Note claim 7 and column 13, lines 50-57. Patel teach an application program interface embodied on a sixth computer-readable medium for execution on a computer in conjunction with the calibration management control program. Note claim 7. Examiner interprets the database of Patel as multiple computer readable mediums.

In reference to claim 7, Patel teach wherein the calibration management control program permits contemporaneous calibration of more than one UUT, and the application program interface is configured for contemporaneous calibration of more than one UUT, each UUT being an instance of the same UUT equipment type. Note claim 7 and note column 6, lines 40-46.

In reference to claim 18, Patel does not explicitly teach where the application program interface is a user interface, however this would appear to be inherent to the client computers (16) of Patel. Note Figure 1.

Allowable Subject Matter

Claims 8, 19-21 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The best prior art of record particularly Patel (US 5,918,191) teach a system and method for managing data in calibration laboratory however Patel does not teach the following claim limitations.

In reference to claim 8, 20 and 21 the prior art of record does not teach the inclusion of the limitations of an wherein the application program interface is configured to receive identification of the UUT equipment type, and a value as found for a specific calibration function, and display tolerance limits for the UUT based upon the UUT equipment type. It is these limitations found in each of the claims, as they are claimed in the combination, that has not been found, taught or suggested by the prior art of record.

In reference to claim 19 the prior art of record does not teach the inclusion of the limitations of an means for displaying a test accuracy ratio and an estimated measurement uncertainty. It is these limitations found in each of the claims, as they are claimed in the combination, that has not been found, taught or suggested by the prior art of record.

Election/Restrictions

Art Unit: 2863

Applicant's response to restriction requirement is acknowledged but is moot in view of the cancellation of the non-elected claims.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Demetrius R. Pretlow whose telephone number is (571) 272-2278. The examiner can normally be reached on Mon.-Fri. 8-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Barlow can be reached on (571) 272-2269. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Demetrius R. Pretlow

 6/11/07

Patent Examiner

/Michael P. Nghiem/

Primary Examiner, Art Unit 2863

Application/Control Number: 10/527,627

Page 6

Art Unit: 2863

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Demetrius R. Pretlow

Patent Examiner


/Michael P. Nghiem/
Primary Examiner, Art Unit 2863

MICHAEL NGHIEM
PRIMARY EXAMINER